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the jury commission, of the grand jury, or of the petit jury. *Hanna v. State*, 105 S. W. 793 (Tex.); *Lewis v. State*, 45 So. 360 (Miss.). The general law is well stated in *Dixon v. State*, 74 Miss. 271; *Gibson v. State*, 162 U. S. 565.

CONSTITUTIONAL LAW—PRIVACY—PICTURES.—*FOSTER-MILBURN CO. v. CHINN*, 120 S. W. 364 (Ky.).—*Held*, that a person is entitled to the right of privacy as to his picture, and that the publication of the picture of a person without his consent as a part of exploiting the publisher's business, is a violation of the right of privacy, and entitles him to recover without proof of special damages.

The right of privacy prior to 1890 was practically unknown to the common law in this country. 4 *Harvard Law Review*, 193. The older decisions in this respect being based upon property or contractual rights. *Abernethy v. Hutchinson*, 3 L. J. 209; *Prince Albert v. Strange*, 1 McN. & G. 24. On the right of privacy independent of property or contractual rights, the modern decisions are in conflict. 1 *Cooley on Torts*, 365 (3rd). In a suit to restrain the unauthorized publication of a photograph, the New York courts decided against this right. *Robertson v. Rochester Folding Box Co.*, 171 N. Y. 538. A contrary rule prevails, however, in some jurisdictions, where the courts give relief as a purely personal right. *Edison v. Edison Polyfom Mfg. Co.*, 67 Atl. 392 (N. J.); see also 18 *Yale Law Journal*, 127. However, when a private individual becomes a public character, he waives all right to privacy. *Corliss v. Walker*, 64 Fed. 280. The right when it does exist is purely personal. *Murray v. Lithographic Co.*, 28 N. Y. Supp. 271.

CORPORATIONS—POWER TO PURCHASE THEIR OWN STOCK.—*MOSES v. SOULE*, 118 N. Y. SUPP. 410.—*Held*, that a provision in incorporation articles or by-laws which prohibits a stockholder from selling his stock without first giving the corporation and other stockholders opportunity to purchase, is not against public policy.

Unless the charter or governing statute limits specified cases, as in *State v. Ferguson*, 33 N. H. 424, every corporation by the principle of common law possesses the inherent power to make by-laws, although such power may not be expressly conferred in its charter, or in the statute of its creation. *People v. Erie Co. Medical Soc.*, 24 Barb. 570 (N. Y.). However, the prevailing doctrine is that a by-law prohibiting the alienation of stock, or putting restrictions thereon is void as being in restraint of trade and against public policy. *Taylor v. Edson*, 58 Mass. 522; *Brightwell v. Mallory*, 18 Tenn. 196; *Board of Com'rs of Tippecanoe Co. v. Reynolds*, 44 Ind. 509. Even if the restriction is indorsed on the certificate of stock. *Herring v. Ruskin Co. Op. Ass'n*, 53 S. W. 327 (Tenn.). And in New York, section two of the *General Corporation Law* authorizing a corporation to make by-laws for the transfer of its stock, does not empower it to limit the unconditional right of transferring the stock. *Kinnan v. Sullivan Country Club*, 50 N. Y. Supp. 95. But a by-law adopted by a corporation, forbidding the transfer of stock so long as the owner is in-